



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

Certified Mail No.
Return Receipt Requested

Ken Copeland
Plant Manager
Exide Technologies
2700 South Indiana Street
Vernon, CA 90058

Re: Warning Letter and Certification of Violation Correction for Exide Technologies

Dear Mr. Copeland:

On July 22, 2008, a hazardous waste inspection was conducted by a representative of the United States Environmental Protection Agency (EPA) at Exide Technologies, located in Vernon, CA with EPA identification number CAD 097 854 541. During the course of this inspection, information was gathered in accordance with Section 3007(a) of the Resource Conservation and Recovery Act (RCRA), as amended [42 U.S.C. § 6927(a)].

A copy of the inspection report is enclosed for your information. The report describes conditions at the facility at the time of the inspection, and identifies areas of noncompliance with RCRA regulations and potential violations of the State of California authorized program under RCRA Subtitle C and potential non-RCRA state violations. Any omissions in the report shall not be construed as a determination of compliance with applicable regulations.

The facility's responses during the inspection and subsequent to the inspection adequately address the violations of the federally authorized RCRA program identified during the inspection. This letter documents the facility's return to compliance with the regulation cited in the inspection report.

By copy of this letter, the EPA is providing the State of California with notice of the referenced violations of RCRA Subtitle C and any non-RCRA, California-only violations. The State of

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|-----------|---------|----------|----------|--|--|--|
| MAIL CODE | WST-3 | WST-3 | | | | |
| SURNAME | Parker | Holloway | Hennrich | | | |
| DATE | 9/29/08 | 10-04-08 | 10/25/08 | | | |

US EPA CONCURRENCES OFFICIAL FILE COPY

California may notify the EPA of its intent to assume or decline responsibility to take appropriate action to resolve the referenced RCRA Subtitle C violations or non-RCRA, California-only violations.

The EPA routinely provides copies of inspection reports to state or tribal agencies, and upon request, to the public. Such releases are handled according to the Freedom of Information Act regulations, 40 C.F.R. Part 2, Subpart B. For any portion of the information included in this inspection report which is entitled to confidential treatment, please assert a confidentiality claim in accordance with 40 C.F.R. § 2.203(b). If the EPA determines that the information so designated meets the criteria set forth in 40 C.F.R. § 2.208, the information will be disclosed only to the extent, and by means of the procedures specified in 40 C.F.R. Part 2, Subpart B. As described in 40 C.F.R. § 2.203(a)(2), the EPA will construe the failure to furnish a confidentiality claim within fourteen (14) calendar days from the date of your receipt of this letter as a waiver of that claim, and information may be made available to the public by the EPA without further notice.

Exide Technologies should continue to take the necessary steps to maintain and ensure compliance with all applicable Federal and local environmental requirements. If you have questions related to technical aspects of the inspection report or this letter, please contact James Polek of my staff at (415) 972-3185.

Sincerely,

Loren Henning, Manager
RCRA Enforcement Office

Enclosure

cc: Charles McLaughlin, DTSC (w/o enc.)
Linda Johnson, City of Vernon CUPA (w/o enc.)
4305 Santa Fe Ave
Vernon, CA 90058